



AF/3738
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TRANSMITTAL LETTER			Case No. 659-921 K-C Ref. No. 12098.1
Serial No. 10/041,693	Filing Date January 7, 2002	Examiner Bruce Edward Snow	Group Art Unit 3738
Inventor(s) Kato et al.			
Title of Invention WAIST ELASTIC SYSTEM WITH IMPROVED ELASTIC DECAY PROPERTIES FOR A TRAINING PANT			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Check for \$330.00 under 37 C.F.R. § 1.17(b) as required by 37 C.F.R. § 1.191(a); Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (in duplicate); and return receipt postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☐ No additional fee is required.
- ☐ The fee has been calculated as shown below:

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TECHNOLOGY CENTER R3700

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

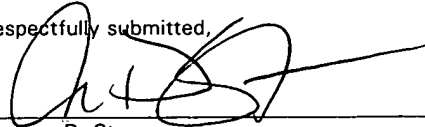
Small Entity	
Rate	Add'l Fee
x \$9 =	
x 43 =	
+ \$145 =	
Total add'l fee	\$

or

Other Than Small Entity	
Rate	Add'l Fee
x \$18 =	
x \$86 =	
+ \$290 =	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$____. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$330.00 under 37 C.F.R. § 1.17(b) as required by 37 C.F.R. § 1.191(a) is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


Andrew D. Stover
Registration No. 38,629
Attorney for Applicant
Customer No. 00757 - Brinks Hofer Gilson Lione

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 5, 2004.

Date: February 5, 2004

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on February 5, 2004

Date of Deposit

Andrew D. Stover, Reg. No. 38,629

Name of applicant, assignee or
Registered Representative

Signature

February 5, 2004

Date of Signature

#13
Notice of Appeal
S. Bruce
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Our Ref. No.: 659-921
K-C Ref.: 12098.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kato et al.

Serial No.: 10/041,693

Examiner: Bruce Edward Snow

Filed: January 7, 2002

Group Art Unit: 3738

For: WAIST ELASTIC
SYSTEM WITH
IMPROVED ELASTIC
DECAY PROPERTIES
FOR A TRAINING PANT

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated November 7, 2003 of the Examiner finally rejecting Claims 40-52.

CP/PT/EDCA 6655421 00000023 10041693

330.00 CP

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on _____ for _____ month(s).
2. ☐ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. ☒ Fee \$330.00 Other than a Small Entity under 37 C.F.R. § 1.17(b) as required by 37 C.F.R. § 1.191(a).
☒ Check in the amount of \$330.00 for the fee referenced above is enclosed.
☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Andrew D. Stover
Registration No. 38,629
Attorney for Applicant

Dated: February 5, 2004

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